

ATTORNEY DOCKET No.: 2003946-0110 (ANDI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Boivin *et al.*
Serial No: ~~NYA~~ 10/507,067
Filing Date: September 8, 2004
Corresp. to: PCT/US03/07377
Int. Filing Date: March 7, 2003
Priority: 60/362,883 Filed March 8, 2002
60/380,711 Filed May 14, 2002
Title: MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS

Examiner: NYA.
Group Art Unit: NYA
Confirmation No.: 8892

RECEIVED
CENTRAL FAX CENTER

FEB 21 2006

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile Transmission
Pursuant to 1096 OG 30-31
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office (571) 273-8300 on the date indicated below.

February 21, 2006
Date

Signature

Megan Country

Typed or Printed Name of person signing certificate

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 6, 2006, enclosed herewith are the documents listed below. The shortened statutory deadline for filing a response is April 6, 2006. Accordingly, Applicant respectfully submits that the filing of this response on February 21, 2006 is timely.

- 1) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 2) Copies of forms PCT/IB/306 issued September 23, 2003 and May 28, 2004 in corresponding International Application No.: PCT/US03/07377 (2 pages); and
- 3) Facsimile cover sheet (1 page).

The Notification of Missing Requirements states that the Declaration filed on September 8, 2004 does not comply with 37 C.F.R. § 1.497(a) and (b) in that the inventors listed therein do not match the inventors listed on the cover page of the International Application. Namely, Seiichi Kobayashi, Heather Davis, Lucian DiePitro, Sandra Gilbert and Shawn Schiller were named as co-inventors on the International Application but are omitted from the Declaration. In addition, Jesse Chow, Fabian Gusovsky, Kenzo Muramoto and Hiroshi Shirota are listed on the Declaration, but were not included in the International Application.

Enclosed are copies of forms PCT/IB/306 attesting to the addition of Jesse Chow, Fabian Gusovsky, Kenzo Muramoto and Hiroshi Shirota; and the deletion of Seiichi Kobayashi, Heather A. Davis, Lucian DiePitro, Sandra Gilbert and Shawn Schiller as inventors/applicants in the International Application.

Accordingly, the executed Declaration on record in the instant US Application properly lists the inventors that were named in the international Application, and is therefore in compliance with 37 C.F.R. § 1.497(a) and (b). A notice to that effect is respectfully requested.

It is not believed that any fees are required for filing the present response. However, Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,
CHOATE, HALL & STEWART LLP



Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

Dated: February 21, 2006

PATENT DEPARTMENT
CHOATE, HALL & STEWART LLP
Two International Place
Boston, Massachusetts 02110
Tel: (617) 248-5000
Fax: (617) 248-4000

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1459
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,067	Roch Boivin	2003946-0110(ANDI/US) ✓

24280
CHOATE, HALL & STEWART LLP
TWO INTERNATIONAL PLACE
BOSTON, MA 02110

Missing Requirements
Due 4-06-06
Final 9-06-06

INTERNATIONAL APPLICATION NO.	
PCT/US03/07377	
LA. FILING DATE	PRIORITY DATE
03/07/2003	03/08/2002

CONFIRMATION NO. 8892
371 FORMALITIES LETTER



OC000000017698317

Date Mailed: 02/06/2006

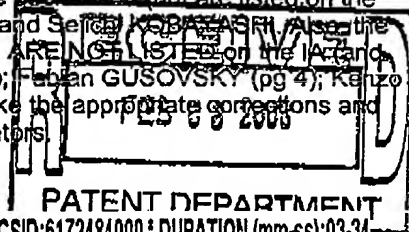
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/08/2004
- Copy of the International Search Report filed on 09/08/2004
- Copy of IPE Report filed on 09/08/2004
- Copy of Annexes to the IPER filed on 09/08/2004
- Preliminary Amendments filed on 09/08/2004
- Information Disclosure Statements filed on 11/10/2004
- Oath or Declaration filed on 11/10/2004
- Request for Immediate Examination filed on 09/08/2004
- U.S. Basic National Fees filed on 09/08/2004
- Assignment filed on 09/08/2004
- Priority Documents filed on 09/08/2004
- Power of Attorney filed on 09/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The inventors listed on the cover page of the IA, do not match those that are listed on the submitted declaration(s). The following inventors are NOT LISTED on the declaration (but are listed on the IA): Lucian D'EPITRO; Sandra GILBERT; Shawn SCHILLER and Sergio MURAMOTO. Also, the following inventors are listed on the declaration, however, they ARE NOT LISTED on the IA and should NOT be a part of the declaration): Jesse CHOW (pg.3); Fabian GUSOVSKY (pg.4); Kenzo MURAMOTO (pg.7); and Hiroshi SHIROTA (pg.8). Please make the appropriate corrections and submit a new declaration or explain the new and omitted inventors.



BEST AVAILABLE COPY

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,067	PCT/US03/07377	2003946-0110(ANDI/US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

BEST AVAILABLE COPY